

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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Bill Ritter, Jr.
Governor

February 26, 2008

Dear County Clerks:

The last three months have been marked by considerable uncertainty regarding how the 2008 elections will be conducted, creating major challenges for each of you. Secretary of State Mike Coffman's decision to decertify many of the state's voting machines on December 17, 2007 shifted the landscape for elections in Colorado. Since that time, my office has spent many hours with clerks from counties around the State discussing issues surrounding the election. We appreciate the time the clerk's association leadership and many individual clerks have given to work with our office. I know that the most important goal for all of us are successful elections in 2008, and I commend each you for your efforts on behalf of the State's voters. The clerks' association has identified April 1st as the target date for resolving uncertainties regarding the conduct of the 2008 elections. The accomplishments described in this letter are essential steps towards meeting that goal.

Today, Senator Gordon is introducing a bipartisan bill requiring the use of paper ballots in the 2008 elections. The bill is cosponsored by Senator McElhany, Representative Madden, and Representative May. By returning to the use of paper ballots for the 2008 elections, we preserve voters' ability to choose how to vote: by mail, during early voting, or on election day at the polls. Paper ballots provide a verifiable paper trail and minimize the risk of technology failures on election day. We continue our efforts to enable counties that have previously used vote centers to do so in 2008. Responding to concerns raised by many of you, the bill drops precinct reporting requirements for early voting and vote centers, ensuring that voters will have a choice in how to cast a vote in 2008.

On February 11th, I signed into law H.B. 1155, which gives the Secretary of State the procedural flexibility necessary to revisit his decision to decertify some machines while retaining Colorado's high standards for voting equipment. In particular, H.B. 1155 enables the Secretary to consider information and procedures not available during prior testing efforts. The effect of this law is already apparent, with Secretary Coffman announcing yesterday his decision to recertify Sequoia and ES&S direct-record equipment, and his plans to further review Hart and ES&S optical scanners. These decisions ensure that many counties will be able to comply with federal elections law, but the risk of litigation and lack of public trust in previously decertified equipment makes the widespread use of these machines in 2008 infeasible.

While H.B. 1155 and Secretary Coffman's subsequent certification decisions enable many counties to use existing equipment for the 2008 elections, some counties will need additional equipment to conduct a paper-ballot election. On Friday, February 22nd, my office submitted a

supplemental budget request to the Joint Budget Committee for \$3.5 million in funding to address these costs. We expect this funding to significantly, if not entirely, reduce the financial burden on counties associated with the change in the manner in which we will conduct 2008 elections. In addition, today Secretary Coffman and I sent a letter to Colorado's Congressional delegation requesting their support for H.R. 5036, which would provide \$600 million to the states to defray the costs of obtaining paper ballot systems for federal elections in 2008.

Finally, in response to concerns raised by a number of county clerks, my office and Secretary Coffman's office hired an outside vendor to conduct an assessment of SCORE, the statewide voter registration system being implemented to comply with the Help America Vote Act. This independent vendor has found that SCORE is fundamentally sound but requires a handful of technical and organizational changes in order to ensure the successful delivery and adoption of the system. The report will be finalized shortly and Secretary Coffman will communicate with you about the specifics of these changes in the coming days. While deploying this new statewide system in a presidential election year is not what any of us would have chosen, federal law requires it. I am confident that with the recommended changes, we are doing all we can do to ensure that SCORE will enable us to conduct successful elections in 2008.

Senator Gordon's bill, Secretary Coffman's certification decisions, additional funds, and the assessment of SCORE resolve many of the uncertainties surrounding this year's elections. We look forward to continue working with you to ensure the success of the 2008 election process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Ritter, Jr.", with a stylized flourish at the end.

Bill Ritter, Jr.
Governor